

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WOLF APPLIANCE, INC.,

Plaintiff,

JUDGMENT IN A CIVIL CASE

v.

Case No. 08-cv-322-bbc

INDEPENDENT SHEET METAL,
INC.,

Defendant.

This action came for consideration before the court with District Judge Barbara B. Crabb presiding. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that judgment is entered in favor of plaintiff Wolf Appliance, Inc. against defendant Independent Sheet Metal, Inc., declaring that

- a. Plaintiff is not liable to defendant for any surcharges on product that plaintiff ordered, received and paid for in 2006.
- b. Plaintiff did not infringe any of defendant's intellectual property rights in copyrights or trade secrets relating to stove hoods.
- c. Plaintiff never agreed to allow defendant to manufacture all of plaintiff's stove hoods in perpetuity or even for a fixed period of time and therefore, did not breach any agreement when it stopped placing orders with defendant.

IT IS FURTHER ORDERED AND ADJUDGED that plaintiff's motion for an award of attorney fees and costs in the amount of \$7,411.82 as its share of the sanction imposed on the defendant for the violation of its discovery obligations is granted.

Approved as to form this 13th day of February, 2009.

Barbara B. Crabb

Barbara B. Crabb, District Judge

Peter Oppeneer

Peter Oppeneer, Clerk of Court

2/18/09

Date